

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 3:14-00131

ANTONIO SANJUAN SHADWICK

ORDER

Pending is defendant Antonio Shadwick's Motion for Reduction in Sentence/Compassionate Release, ECF No. 61. Shadwick seeks compassionate release based on his vulnerability to COVID-19. Following a defendant's exhaustion of his or her administrative remedies, a court may reduce the defendant's sentence if the court finds "extraordinary and compelling reasons warrant such a reduction." 18 U.S.C. § 3582(c)(1)(A)(i). It is unclear whether Shadwick has exhausted his administrative rights. But even if he has exhausted these remedies, he has not shown an "extraordinary and compelling" reason warrants his release. In the current COVID-19 outbreak, "courts have found extraordinary and compelling reasons for compassionate release when an inmate shows *both* a particularized susceptibility to the disease and a particularized risk of contracting the disease at his prison facility." *U.S. v. Feiling*, No. 3:19CR112 (DJN), 2020 WL 1821457, at *7 (E.D. Va. Apr. 10, 2020) (collecting cases) (emphasis added). While Shadwick claims certain health issues place him at higher risk for severe illness, Coleman Medium FCI only has two confirmed active cases among inmates. *See COVID-19 Cases*, FEDERAL BUREAU OF PRISONS, <https://www.bop.gov/coronavirus/> (last visited July 1, 2020).

The Court therefore **DENIES** Shadwick's Motion, ECF No. 61, as it pertains to compassionate release. The Motion also appears to imply other grounds for relief under 28 U.S.C.

§ 2255, so the Court **DIRECTS** the Clerk to send Shadwick the forms needed to file a § 2255 motion as well as a copy of this Order to counsel and the defendant, the United States Attorney's Office, the United States Probation Office, and the United States Marshals Service.

ENTER: July 2, 2020

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE